

Att'y Ref. No. 003-122

U.S. App. No.: 10/808,487

REMARKS

Favorable reconsideration, reexamination, and allowance of the present patent application are respectfully requested in view of the foregoing amendments and the following remarks.

Allowable Subject Matter

Applicant gratefully acknowledges that Office Action does not include a rejection of any claim over the prior art.

Objection to the Drawings

At pages 1 and 2 of the Office Action, the drawing was objected to under 37 C.F.R. § 1.83(a) because the drawings allegedly fail to illustrate certain connections mentioned in the claims. Applicant respectfully requests reconsideration of this objection.

Applicant attaches hereto a Proposed Drawing Change, in which Applicant proposes to add two heat lines: one generally from "cooler and/or waste heat utilizer" 4 and "coarse fractionation installation" 9, and one from "coarse fractionation installation" 9 to "cryogenic air fractionation installation" 11. Applicant respectfully submits that the proposed changes to the drawings obviate the objections thereto, and therefore respectfully requests their approval and withdrawal of the objection.

Rejection under 35 U.S.C. § 112, second paragraph

In the Office Action, beginning at page 2, Claims 1-10 were rejected under 35 U.S.C. § 112, second paragraph, as reciting subject matters that allegedly are indefinite. Applicant respectfully requests reconsideration of this rejection.

The Office Action specifically objected to the presence, in the preamble of Claim 1, of "at least one heat sink" as a part of the power plant. Applicant notes that no other claim referenced or relied on the "at least one heat sink"; therefore, the element has been deleted from the claim. As the basis for the rejection of the claims has been deleted, Applicant respectfully submits that the rejection is now moot.

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For at least the foregoing reasons, Applicant respectfully submits that Claims 1-10 fully comply with 35 U.S.C. § 112, second paragraph, and therefore respectfully requests withdrawal of the rejection thereof under 35 U.S.C. § 112.

Conclusion

Applicant respectfully submits that the present patent application is in condition for allowance. An early indication of the allowability of this patent application is therefore respectfully solicited.

If Mr. Casaregola believes that a telephone conference with the undersigned would expedite passage of this patent application to issue, he is invited to call on the number below.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. If, however, additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and the Commissioner is hereby authorized to charge fees necessitated by this paper, and to credit all refunds and overpayments, to our Deposit Account 50-2821.

Respectfully submitted,

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